

**APPLICATION FOR PERMISSION**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/YL-LFS/575**

- Applicant** : Wecater Group Limited
- Site** : Lots 2098, 2099, 2100 (Part), 2101 S.A (Part), 2101 S.B (Part) and 2116 (Part) in D.D. 129, Lau Fau Shan, Yuen Long, New Territories
- Site Area** : About 3,005m<sup>2</sup>
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Lau Fau Shan and Tsim Bei Tsui Outline Zoning Plan (OZP) No. S/YL-LFS/11
- Zoning** : “Recreation” (“REC”)
- Application** : Temporary Eating Place for a Period of 3 Years

**1. The Proposal**

- 1.1 The applicant seeks planning permission for temporary eating place for a period of three years at the application site (the Site) zoned “REC” on the OZP (**Plan A-1**). According to the Notes of the OZP for the “REC” zone, ‘Eating Place’ is a Column 2 use which requires planning permission from the Town Planning Board (the Board). The Site is currently hard paved, erected with structures and used for the applied use without valid planning permission (**Plans A-2, and A-4a to A-4b**).
- 1.2 The Site is accessible from Lau Fau Shan Roundabout via a local track, with the ingress/egress located at the southwest of the Site. As shown on the layout plan at **Drawing A-1**, 11 structures of one to two storeys (not more than 6m in height) with a total floor area of about 1,155m<sup>2</sup> are used for eating place, storage, kitchen, toilet, electricity meter room and pump room purposes. A total of 120 indoor seats are provided with no outside seating accommodation. 13 parking spaces for private cars and two loading/unloading spaces for light goods vehicles are also provided. As indicated in the submission, the operation hours are from 10 a.m. to 11 p.m. daily, including public holidays. The estimated number of diners are about 260 per day. Advanced booking is required for dining at the temporary eating place as well as using the parking spaces on-site. Based on the existing landscape and tree preservation plan (**Drawing A-4**), eight existing trees would be retained at the Site. Septic tank and grease trap are provided on the Site to treat the sewage generated from the toilets and kitchen respectively. Plans showing the site layout with vehicular access, drainage proposal, fire service installations (FSIs) proposal and landscape treatment are at **Drawings A-1 to A-4** respectively.

1.3 The Site was the subject of three previous applications for various uses/developments. The last previous application No. A/YL-LFS/492 for the same temporary eating place use was approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board in 2023, and the planning permission was subsequently revoked in August 2025 due to non-compliance with approval conditions (details at paragraph 5 below). Compared with the last previous application, the current application is submitted by the same applicant for the same use with the same layout and development parameters.

1.4 In support of the application, the applicant has submitted the following documents:

- (a) Application Form with attachments received on 13.10.2025 (Appendix I)
  - (b) Supplementary Information (SI) received on 17.10.2025 (Appendix Ia)
  - (c) Further Information (FI) received on 14.11.2025\* (Appendix Ib)
  - (d) FI received on 25.11.2025\* (Appendix Ic)
- \*accepted and exempted from publication and recounting requirements*

## **2. Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in the Application Form, SI and FI at **Appendices I to Ic**. They can be summarised as follows:

- (a) the applied use is temporary in nature, and would not jeopardise the long-term planning intention;
- (b) water and electricity supply are available at the Site. No tree felling, land filling and excavation or diversion of stream is involved;
- (c) the temporary eating place is operated by nearby indigenous villagers primarily to serve the local community, thereby providing local employment opportunities and supporting the local economy;
- (d) sufficient manoeuvring space is provided within the Site. Advance booking will be required for all goods deliveries, and restricted to off-peak hours only. No queuing or reversing of vehicles onto/from public roads is anticipated. With proper management, the applied use would not cause adverse traffic impact on the surrounding areas; and
- (e) the applied use could facilitate proper management of the Site. By preventing dumping or fly-tipping at the Site, the local environment would be improved.

## **3. Compliance with the “Owner’s Consent/Notification” Requirements**

The applicant is not a “current land owner” but has complied with the requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Sections 12A and 16 of the Ordinance (TPB PG-No. 31B) by posting site notice and sending notification letter to the Ping Shan Rural Committee. Detailed information would be deposited at the meeting for Members’ inspection.

#### **4. Background**

The Site is not subject to any active planning enforcement action.

#### **5. Previous Applications**

5.1 There are three previous applications (No. A/YL-LFS/6, 7 and 492) covering different extents of the Site. Details of the previous applications are summarised in **Appendix II** and their locations are shown on **Plan A-1**.

##### *Approved Application*

5.2 Application No. A/YL-LFS/492 for the same applied use as the current application was approved with conditions by the Committee on 10.11.2023, mainly on the considerations that temporary approval would not jeopardise the long-term planning intention of the “REC” zone; the applied use was not incompatible with the surrounding land uses; concerned government departments had no objection to the application and the technical concerns could be addressed by implementation of approval conditions. The planning permission was subsequently revoked on 10.8.2025 due to non-compliance with approval conditions regarding the implementation of drainage, sewerage and FSIs proposals. In support of the current application, the applicant has submitted a drainage proposal as well as FSIs proposal (**Appendix I**). Compared with the previous application, the current application remains unchanged with the same layout and development parameters.

##### *Rejected Applications*

5.3 Applications No. A/YL-LFS/6 and 7 for residential development and resort houses with recreation facilities respectively were rejected by the Committee or the Board on review in 1995 and 1996 respectively. The considerations of these previous applications are not relevant to the current application for temporary eating place.

#### **6. Similar Application**

There is no similar application for eating place within the same “REC” zone.

#### **7. The Site and Its Surrounding Areas (Plans A-1 to A-4b)**

7.1 The Site is:

- (a) hard-paved, erected with structures and used for the applied use without valid planning permission; and
- (b) accessible from Lau Fau Shan Roundabout via a local track.

7.2 The surrounding areas are predominated by open storage yards, warehouses, vehicle parks/parking of vehicles and vacant/unused land. Eating places are found near the Lau Fau Shan Roundabout and along Lau Fau Shan Main Street. Other uses such as plant nursery, residential dwellings and office are also found in the vicinity of the

Site.

## **8. Planning Intention**

The “REC” zone is intended primarily for recreational developments for the use of the general public. It encourages the development of active and/or passive recreation and tourism/eco-tourism. Uses in support of the recreational developments may be permitted subject to planning permission.

## **9. Comments from Relevant Government Departments**

All departments consulted have no objection to or no adverse comment on the application. Their general comments on the application and advisory comments in the Recommended Advisory Clauses are provided in **Appendices III and IV** respectively.

## **10. Public Comment Received During Statutory Publication Period**

On 21.10.2025, the application was published for public inspection. During the statutory public inspection period, one public comment from an individual (**Appendix V**) was received objecting to the application mainly on the grounds that the approval conditions of the previous application had not been complied with.

## **11. Planning Considerations and Assessments**

11.1 The application is for temporary eating place for a period of three years at the Site zoned “REC” on the OZP (**Plan A-1**). Although the applied use is not in line with the planning intention of the “REC” zone, there is no known development proposal for the Site. Approval of the application on a temporary basis for a period of three years would not jeopardise the long-term planning intention of the “REC” zone. Notwithstanding the above, the Project Manager (West) of Civil Engineering and Development Department advises that the Site falls within the study area of Lau Fau Shan Development in which the implementation and land resumption/clearance programme is currently being reviewed under the relevant investigation study and subject to change. Should the application be approved, the applicant should be reminded that the Site may be resumed by the Government at any time during the planning approval period for potential development project and advised not to carry out any substantial works therein.

11.2 The Site is located within an area predominated by open storage yards, warehouses, vehicle parks/parking of vehicles and vacant/unused land and also in proximity to the cluster of eating places, shops and residential dwellings within the “Commercial/Residential” zone at the Lau Fau Shan Roundabout and along Lau Fau Shan Main Street. The applied use is considered generally not incompatible with the surrounding land uses.

11.3 Concerned government departments consulted including the Commissioner for Transport, Director of Environmental Protection (DEP), Chief Engineer/Mainland North of Drainage Services Department (CE/MN of DSD) and Director of Fire

Services (D of FS) have no objection to or no adverse comment on the application from traffic, environmental, drainage and fire safety perspective respectively. The technical requirements of concerned departments could be addressed by approval conditions recommended in paragraph 12.2 below. To minimise any possible environmental nuisance, the applicant will be advised to follow the best practical measures with reference to the 'Control of Oily Fume and Cooking Odour from Restaurants and Food Business' issued by the Environmental Protection Department to minimise cooking fume emissions from the applied use, and to follow the latest 'Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites'.

- 11.4 The Site was involved in a previous application (No. A/YL-LFS/492), submitted by the same applicant for the same use with the same layout and development parameters, which was approved with conditions by the Committee on 10.11.2023. However, the planning permission was revoked on 10.8.2025 due to non-compliance with approval conditions regarding the implementation of drainage, sewerage and FSIs proposals. In support of the current application, the applicant has submitted drainage and FSIs proposals, and confirmed that septic tank will be provided on the Site for sewage treatment and no connection to nearby public sewers is required. In this regard, CE/MN, DSD, D of FS, and DEP have no objection to the application. As such, sympathetic consideration may be given to the current application. Should the application be approved, the applicant will be advised that should it fail to comply with any of the approval conditions again resulting in revocation of the planning permission, sympathetic consideration may not be given to any further applications.
- 11.5 Regarding the public comment objecting to the application as stated in paragraph 10 above, the planning considerations and assessments in paragraphs 11.1 to 11.4 above are relevant.

## **12. Planning Department's Views**

- 12.1 Based on the assessments made in paragraph 11 above and having taken into account the public comment mentioned in paragraph 10 above, the Planning Department has no objection to the application.
- 12.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid on a temporary basis for a period of three years until **5.12.2028**. The following conditions of approval and advisory clauses are also suggested for Members' reference:

### **Approval Conditions**

- (a) the submission of a revised drainage proposal within **6 months** from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by **5.6.2026**;
- (b) in relation to (a) above, the implementation of the revised drainage proposal within **9 months** from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by **5.9.2026**;
- (c) in relation to (b) above, the implemented drainage facilities shall be maintained

at all times during the planning approval period;

- (d) the submission of a revised fire service installations proposal within **6 months** from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **5.6.2026**;
- (e) in relation to (d) above, the implementation of the revised fire service installations proposal within **9 months** from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by **5.9.2026**;
- (f) if the above planning condition (c) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (g) if any of the above planning condition (a), (b), (d) or (e) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.

#### Advisory Clauses

The recommended advisory clauses are attached at **Appendix IV**.

- 12.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Members' reference:

the applied use is not in line with the planning intention of the "Recreation" zone, which is primarily for recreational developments for the use of the general public. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis.

### **13. Decision Sought**

- 13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant planning permission.
- 13.2 Should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to the permission, and the period of which permission should be valid on a temporary basis.
- 13.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

### **14. Attachments**

<b>Appendix I</b>	Application Form with attachments received on 13.10.2025
<b>Appendix Ia</b>	SI received on 17.10.2025
<b>Appendix Ib</b>	FI received on 14.11.2025
<b>Appendix Ic</b>	FI received on 25.11.2025
<b>Appendix II</b>	Previous Applications

<b>Appendix III</b>	Government Departments' General Comments
<b>Appendix IV</b>	Recommended Advisory Clauses
<b>Appendix V</b>	Public Comment Received During Statutory Publication Period
<b>Drawing A-1</b>	Layout and Vehicular Access Plan
<b>Drawing A-2</b>	Drainage Plan
<b>Drawing A-3</b>	Fire Service Installations Plan
<b>Drawing A-4</b>	Existing Landscape and Tree Preservation Plan
<b>Plan A-1</b>	Location Plan with Previous Applications
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plans A-4a to A-4b</b>	Site Photos

**PLANNING DEPARTMENT  
DECEMBER 2025**